

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

UNITED STATES POSTAL SERVICE

and

Case 18–CA–142795

STEFAN GUSTAF RONNKVIST

and

Cases 16–CA–150064  
16–CA–161476

BRUCE EDWARD FREEMAN, JR.

and

Case 15–CA–172429

SCHWAYN BRADLEY

and

Case 01–CA–169707

NATIONAL POSTAL MAIL HANDLERS  
UNION, BRANCH 83, LOCAL 301

and

Case 16–CA–181431

ARSENIO MANANSALA

NOTICE TO SHOW CAUSE

On May 19, 2017, Administrative Law Judge Andrew S. Gollin issued a decision in this case. The Respondent filed exceptions, a supporting brief, and an answering brief; the General Counsel filed a cross-exception, a supporting brief, and an answering brief; and Intervenors National Postal Mail Handlers Union and American Postal Workers Union each filed an answering brief.

This case involves complaint allegations that certain provisions in the Respondent's Employee and Labor Relations Manual, Handbook AS-805, and Administrative Support Manual violate Section 8(a)(1) of the National Labor Relations Act based on the prong of the analytical framework set forth in *Lutheran Heritage Village-Livonia*, 343 NLRB 646 (2004), that held an

employer's maintenance of a facially neutral work rule would be unlawful "if employees would reasonably construe the language to prohibit Section 7 activity." *Id.* at 647. The judge also addressed an allegation that the Respondent unlawfully terminated an employee pursuant to one of the rules at issue. Recently, the Board overruled the *Lutheran Heritage* "reasonably construe" test and announced a new standard that applies retroactively to all pending cases. *The Boeing Co.*, 365 NLRB No. 154, slip op. at 14-17 (2017).

Accordingly, the Board hereby issues the following notice to show cause why this proceeding should not be remanded to the judge for further proceedings in light of *Boeing*, including, if necessary, the filing of statements, reopening the record, and issuance of a supplemental decision.<sup>1</sup>

**NOTICE IS GIVEN** that any party seeking to show cause why this case should not be remanded to the administrative law judge must do so in writing, filed with the Board in Washington, D.C., on or before October 24, 2018 (with affidavit of service on the parties to this proceeding). Any briefs or statements in support of the motion shall be filed on the same date.

Dated, Washington, D.C., October 10, 2018.

By direction of the Board:

/s/ Roxanne L. Rothschild

Executive Secretary

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<sup>1</sup> Chairman Ring is recused and took no part in the consideration of this case.